

AWARD NO.
NAME OF THE VILLAGE
NATURE OF ACQUISITION
PURPOSE OF ACQUISITION

177
26 B/71-72 169
: GHONDLI
: PERMANENT
: PLANNED DEVELOPMENT OF DELHI

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INTRODUCTION

These are supplementary proceedings under section 11 of the L.A. Act, 1894 in respect of land measuring 15 bigha 11 bis. situated in village Ghondli.

The land under acquisition in the present award form part of general notification made by Delhi Administration for 16000 acres of land in different village of Delhi of which the Notification u/s 4 of the land acquisition Act was issued vide No.F.15(245)/60/LSG/L&H dated 24.10.61. Land measuring 181 bighas 18 biswa in village Ghondli was notified u/s 6 of the L.A. Act vide notification No.F.4(19)/65-L&H(ii) dated 2nd January, 1969. Out of the land notified under section 6 of the L.A. Act the land measuring 1 bigha 4 biswas has already been acquired vide award No.26/71-72, 26-A/71-72 and the land measuring 15 bigha 11 bis. is now under acquisition proceedings. The remaining land will be acquired through another supplementary award on receipt of the instruction from the administration.

Notices u/s 9 & 10 of the L.A. Act were issued to the interested persons in the land. Claims filed by them will be discussed under a separate heading "Claims & Evidence."

MEASUREMENT & CORRECT AREA

The land acquisition field staff carried out necessary measurement on the spot and also consulted the revenue records. The land under acquisition was found correct on the spot. The details of land under acquisition are as under:

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[Signature]

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<u>Kh. No.</u>	<u>Area</u>	<u>Kind of soil</u>
<u>917</u> 294-302	0.11	G.M. Rasta/SarakPukhta
<u>919</u> 293-294	0.05	-do-
<u>921</u> 289-291 306-307	0.16	-do-
<u>923</u> 288-291 307	1.03	-do-
<u>924</u> 288-290	0.12	-do-
<u>925</u> 287	0.12	-do-
<u>926</u> 287-288	0.17	-do-
<u>929</u> 287	0.05	-do-
<u>932</u> 287	0.05	-do-
<u>935</u> 287	0.11	-do-
<u>937</u> 287	1.05	-do-
<u>938</u> 287-288-292 302-306-307	3.07	-do-
<u>940</u> 301-302	0.06	-do-
<u>942</u> 305-306 307	0.07	-do-
<u>944</u> 309 309	1-0/1 0.01	-do-
<u>946</u> 308-309	0.18	-do-
<u>948</u> 308-309	0.12	-do-
<u>949</u> 309	0.11	-do-
<u>950</u> 311-624 625	0.08	-do-

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952
311-625
626

0.08

G.M. Rasta/Sarak Pukhta

953
311-625
626

0.11

21 15.11

CLAIMS AND EVIDENCE

Only Ch. Kabool Singh has claimed Rs. 200/- per sq. yd for whole of the land under acquisition, but no proof or evidence has been produced in support of his claim.

MARKET VALUE:

The market value of the land under acquisition is to be determined with references to preliminary notification under section 4 of the land Acquisition Act. Factors like size and shape of land under acquisition are also taken into consideration while determining the market value various sale transactions pertaining to same land or of land in the near vicinity of land are also given due consideration. In addition to above various awards pertaining to same notification are also taken into consideration.

In the present case the date of preliminary notification is 24.10.61. Revenue records was consulted by the field staff with a view to find out sale transactions of the land as relevant to the date of preliminary notification in the present case. The following sale transactions have been taken place in this village.

<u>Mutation No.</u>	<u>Date of Regn.</u>	<u>Kh.No.</u>	<u>Area</u>	<u>Amount</u>	<u>Average P. Bigha</u>
1084	8.3.61	1011/293/294	0.04	1,000/-	5,000/-
1085	26.2.61	297/3	0.03	852/-	5,680/-
1086	2.3.61	297/7	0.10	3,000/-	6,000/-
1138	31.12.60	807/181/1	0.05	2,500/-	10,000/-

The above sale transactions do not give proper guidance in assessing the market value of the land under acquisition as the data

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175

of sale of the above mutation is anterior to the date of preliminary notification u/s 4 of the present case. Moreover the land of the above sale transaction is also far from the land under acquisition:

Keeping in view it would be helpful to consult the awards relating to the date of preliminary notification in this case. There have been the following awards pertaining to this village.

S.No.	Award No.	Date of Notification u/s 4	Area big. bis.	Rate awarded by LAC
1.	1872	24.10.61	19.06	Rs.3,000/-
2.	1983	-do-	916 $\frac{1}{2}$ sq.yd	Rs.37/- per Sq.Yd. for plot No.C/2/7
				Rs.40/-P.S.Yd. for plot No. C-1/7
3.	2128	24.10.61	108.07	Rs.3,000/- P.B.
4.	2232	-do-	7.07	Rs.8,900/- P.B.
5.	26/71-72	-do-	0.06	Rs.6,300/- P.B.
6.	26A/71-72	-do-	0.18	Rs.6,300/- P.B.

In the above table, awards, at Sl.No.1 to 5 could not afford guidance here since in these awards, the land is situated at a considerable distance from land under acquisition.

The award at S.No.6 Award No.26A/71-72 is relevant in the present case, as the date of preliminary notification in the award is the same and also the land acquired is quite close to the land under acquisition and also part and parcel of the land acquired under present case, in which LAC has awarded compensation @ Rs.6,300/- P.B. but the land acquired vide Award No.26A/71-72 was G.M. Plot at the time of preliminary notification u/s 4 and the land under acquisition is G.M. Rasta prior to the date of preliminary notification u/s 4 and was used for public purpose at that time. Therefore the above difference should be

177

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Kept in mind for assessing the market value of the land under acquisition. Therefore, I feel that the market value of Rs. 3,500/- per bigha for the land under acquisition will be fair and reasonable and hence award the same.

OTHER COMPENSATION:

There is no well or trees on the land under acquisition.

STRUCTURES : There are eight pucca structures over the land under acquisition comprising Kh. Nos. $\frac{917}{294-302}$ - $\frac{944}{309}$ which have come off after the date of preliminary notification i.e. 24.10.61. Hence no compensation is assessable for them.

INTEREST: The case is covered by the provision of land acquisition (Amendment & Validation) Act 1967 as the notification u/s 6 of the L.A. Act was issued after the expiry of three years of the date of notification u/s 4 of the act. The date of notification u/s 6 is 2.1.69. Therefore interest would be payable on the market value of the land w.e.f. 24.10.64 to the date of announcement of the award.

LAND REVENUE : The land under acquisition is assessed to Rs. 1.48P. only as land revenue which would be deducted from the Khalsa Rent Roll of the village w.e.f. date of taking possession.

SOLATUM: 15% solatium will be paid over and above the market value of the land.

APPORTIONMENT

Compensation will be paid according to the latest entries in the revenue records. In case of any dispute the compensation will be made after amicable settlement between the parties concerned failing which the matter shall be referred to the Competent Court of A.D.J. for adjudication.

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SUMMARY

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| 1. Compensation of land measuring
15 bigha 11 biswas @ Rs. 3,500/-P.B. | Rs. 54,425-00 |
| 2. Add 15 % solatium | Rs. 8,163-75 |
| 3. Interest u/s 4(3) L.A. (Amendment
& Validation) Act, 1967 @ 6 % per
annum only on the market value i.e.
Rs. 54,425/- w.e.f. 24.10.64 to
21.4.81 (16 years 180 days) | Rs. 53,858-38 |

TOTAL:-

Rs. 1,16,447-13

(Rupees One Lakh Sixteen Thousand Four Hundred Forty
Seven and paise Thirteen only)

(S.N. JHA)
LAND ACQUISITION COLLECTOR(MSW)
DELHI.

Announced in open Court today

S.N. JHA
7/6/82

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